



CLERK, U.S. BANKRUPTCY COURT
NORTHERN DISTRICT OF TEXAS

ENTERED

THE DATE OF ENTRY IS ON
THE COURT'S DOCKET

The following constitutes the ruling of the court and has the force and effect therein described.

Signed January 25, 2024

A handwritten signature in black ink, appearing to read "Edward", followed by a horizontal line.

United States Bankruptcy Judge

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION

IN RE:

DUAL D HEALTH CARE
OPERATIONS, INC. d/b/a KEMP
CARE CENTER, LLC,

Debtor.

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CASE NO.: 17-41320-elm-7

SHAWN K. BROWN, Chapter 7
Trustee for Dual D Health Care
Operations Inc. d/b/a Kemp Care
Center, LLC,

Plaintiff,

v.

LLOYD DOUGLAS, Individually, *et al.*,

Defendants.

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ADVERSARY NO. 20-04059-elm

FIFTH AMENDED AGREED SCHEDULING ORDER

Pursuant to Rule 16, Federal Rules of Civil Procedure, the Court issues the following scheduling order to supersede any prior scheduling order entered in this proceeding.

IT IS ORDERED THAT:

1. Adversary Proceeding Numbers 20-04059 and 20-04060 (the “Adversary Proceedings”) shall be tried jointly before this Court.

2. Trial of the Adversary Proceedings is set for a special setting on **March 21, and March 22, 2024**, before the Honorable Edward L. Morris at 501 W. 10th St., Room 204, Fort Worth, Texas 76102, commencing at 9:30 a.m. each such day.

3. The Parties shall attend a Status Conference on **March 4, 2024, at 1:30 p.m.** (Prevailing Time) via WebEx, accessed as follows:

Link: <https://us-courts.webex.com/meet/morris>

4. All deadlines that have expired in any prior scheduling order, unless modified by this Order, shall remain expired and are not revived by this Order.

5. Parties shall complete expert discovery (as well as depositions of Lloyd Douglas, Craig Kelly, and Marc Lussier) on or before February 29, 2024, and rebuttal expert reports, if any, shall be served on or before January 26, 2024.

6. Except for impeachment documents, all exhibits, along with a list of witnesses to be called, shall be exchanged with all other parties no later than **March 11, 2024**. All exhibits not objected to in writing by **March 18, 2024** shall be admitted into evidence at trial without further proof, except for objections to relevance. Written objections to exhibits will be taken up either at the beginning or during the course of the actual trial.

7. On or before **March 15, 2024**, a Joint Pretrial Order in compliance with Local District Court Rule 16.4 shall be filed, served, and uploaded for Court entry. All parties are

responsible for preparing the Joint Pretrial Order, which shall contain the following: (a) a summary of the claims and defenses of each party; (b) a statement of stipulated facts; (c) a list of the contested issues of fact; (d) a list of contested issues of law; (e) an estimate of the length of trial; (f) a list of additional matters which would aid in the disposition of the case; and (g) the signature of each attorney.

8. On or before **March 15, 2024**, the parties shall file proposed findings of fact and conclusions of law.

9. On or before **March 15, 2024**, the parties shall file trial briefs addressing contested issues of law.

10. Any provision of any prior scheduling order or other order entered in this Adversary Proceeding and not expressly modified or extended by this Order shall remain in force and effect according to its terms.

END OF ORDER

**APPROVED AS TO
FORM AND SUBSTANCE:**

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